

### **STATUS OF THE CLAIMS**

Claims 1-29 were originally filed in this patent application. In the pending office action, claims 19 and 21-29 were rejected under 35 U.S.C. §101. Claims 1-7, 9-16, 18-20, 22-27 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by Haban. Claims 8, 17 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Haban in view of U.S. Patent Application Publication US 2003/0131283 to Ur *et al.* (hereinafter “Ur”). Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Haban in view of Official Notice. Claims 1, 4, 10, 13, 19 and 24 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting. No claim was allowed. In this amendment, claims 4-5, 7, 13-14, 16, 20-21, 24-25 and 27 have been cancelled, claims 1, 6, 8-10, 15, 17-19, 26 and 28-29 have been amended, and new claims 30-32 have been added. Claims 1-3, 6, 8-12, 15, 17-19, 22-23, 26, and 28-32 are currently pending.

## **REMARKS**

### **Rejection of claims 19 and 21-29 under 35 U.S.C. §101**

The examiner rejected claims 19 and 21-29 under 35 U.S.C. §101 as being allegedly directed to nonstatutory subject matter. Claims 20-21 have been cancelled herein, and therefore need not be addressed. Claim 19 has been amended herein to recite a computer-readable program product in the preamble, and recordable media in clause (B). As a result, claim 19 is limited to tangible, recordable media, thereby traversing the examiner's rejection of claims 19 and 22-29 under 35 U.S.C. §101.

### **Rejection of claims 1-7, 9-16, 18-20, 22-27 and 29 under 35 U.S.C. §102(b)**

The examiner rejected claims 1-7, 9-16, 18-20, 22-27 and 29 under 35 U.S.C. §102(b) as being anticipated by Haban. Of these claims in this set, claims 4-5, 7, 13-14, 16, 20, 24-25 and 27 have been cancelled, and therefore need not be addressed. Claim 1 has been amended herein to incorporate the limitations in claim 5, which has been cancelled herein. As a result, the examiner's rejection of claim 5 needs to be addressed here. In rejecting claim 5, the examiner states:

...Haban discloses wherein the at least one action comprises enabling a breakpoint in the second job (pg. 168, col. 1, par. 2 "The happened-before event, ... indicates that event  $Ge_1$  happened before  $Ge_2$ ").

Applicants respectfully assert the happened-before event described in Haban does not read on enabling a breakpoint on a second job in response to detecting at least one condition in the first job, as expressly recited in claim 1 as amended.

In Haban, global events such as  $Ge_1$  and  $Ge_2$  can be defined based on complex relationships of events in different processes. However, Haban expressly defines what

actions can be taken when a global event is satisfied at pg. 169, second column, last paragraph, which states:

The actions associates with global events are not restricted to breakpoints. In our test system we support the following activities when a global event is satisfied:

- recording the occurrence of the global event in a trace file
- halting the system in a consistent state
- indicating the occurrence on the screen without any action.

There is no teaching in Haban of the concept of “enabling a breakpoint” in one job when an event in a different job is detected. The teachings in Haban related to detecting a global event, which can be a breakpoint. The express teachings above limit Haban to performing one of the recited actions when a global event is satisfied. Because none of these recited actions in Haban can be reasonably read on enabling a breakpoint in a different process, Haban does not teach or suggest the limitations in claim 1 as amended. In Haban, when a global event is detected that is a breakpoint, all processes are halted, which prevents enabling a breakpoint in a different process. As a result, claim 1 is allowable over Haban.

Independent claims 10 and 19 have been amended to include limitations similar to those in claim 1, and are therefore allowable for the same reasons discussed above with respect to claim 1.

Claims 2-3 and 6 depend on claim 1, which is allowable for the reasons given above. Claims 11-12 and 15 depend on claim 10, which is allowable for the reasons given above. Claims 22-23 and 26 depend on claim 19, which is allowable for the reasons given above. As a result, all of claims 2-3, 6, 11-12, 15, 22-23 and 26 are allowable as depending on allowable independent claims. Applicants respectfully request reconsideration of the examiner’s rejection of claims 1-3, 6, 10-12, 15, 19, 22-23 and 26 under 35 U.S.C. §102(b).

Rejection of claims 8, 17 and 28 under 35 U.S.C. §103(a)

The examiner rejected claims 8, 17 and 28 under 35 U.S.C. §103(a) as being unpatentable over Haban in view of Ur. Claims 8, 17 and 28 have been amended herein to place these claims in proper independent form, incorporating the limitations of the former independent claims. In rejecting claim 8, the examiner admits Haban does not teach changing a program variable in the second job in response to detecting a condition in the first job. The examiner then cites to Ur's teaching of well-known debugging functions, which include setting variable values, and concludes it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide sequential debugging features in taught in Haban such as setting variable values as taught in Ur. The examiner, however, has failed to recite any motivation for the combination. As a result, the examiner's combination of Haban and Ur is defective, and the examiner has thus failed to establish a prima facie case of obviousness for claims 8, 17 and 28 under 35 U.S.C. §102(b).

Paragraph [0093] of Ur states:

Debugging functions are well known in the art and include execution control (e.g., single-step, setting breakpoints) and data manipulation (e.g., viewing variable values, setting variable values).

It is interesting to note the well-known debugging functions of viewing variable values and setting variable values are performed in Ur by a human programmer when a program is not executing. Thus, variable values may be viewed by a human programmer after a breakpoint is encountered, and variable values may be set by a human programmer while a program is paused to initialize the variables to desired values before running the program during a debug session. Both of the data manipulation examples in Ur are manual data manipulations performed by a human programmer. The setting of variable values by a human programmer in Ur does not read on an inter-job breakpoint mechanism in claims 8 and 28 and method in claim 17 that modifies a program variable on the second job when at least one condition in the first job is satisfied. Note these claims do

not require either job to be halted. Thus, these claims expressly extend to setting variable values of a job as the job is running. Because Ur does not teach or suggest this dynamic changing of a program variable, claims 8, 17 and 28 are allowable over the combination of Haban and Ur. Applicants respectfully request reconsideration of the examiner's rejection of claims 8, 17 and 28 under 35 U.S.C. §103(a).

Claims 9, 18 and 29 have been amended herein to depend on independent claims 8, 17 and 28, respectively, which are allowable for the reasons given above. As a result, claims 9, 18 and 29 are allowable as depending on allowable independent claims.

#### Rejection of claim 21 under 35 U.S.C. §103(a)

The examiner rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over Haban in view of Official Notice. Claim 21 has been cancelled herein, making the examiner's rejection of claim 21 moot.

#### Provisional rejection of claims 1, 4, 10, 13, 19 and 24 on the ground of nonstatutory obviousness-type double patenting

The examiner provisionally rejected claims 1, 4, 10, 13, 19 and 24 on the ground of nonstatutory obviousness-type double patenting based on claims 1-2, 21-22, 42-43, 45, 48 and 66 of copending application no. 10/153,978. The amendments to the claims herein clearly distinguish over the claims of the copending application, thereby traversing the examiner's rejection to these claims on the ground of nonstatutory obviousness-type double patenting.

#### New claims 30-32

New claims 30-32 have been added to recite limitations similar to those in claims 9, 18 and 29 for independent claims 1, 10 and 27. Applicants note the examiner's rejection of claims 9, 18 and 29 failed to provide any citation to Haban that allegedly reads on this limitation. As a result, the examiner failed to establish a prima facie case of anticipation for claims 9, 18 and 29 under 35 U.S.C. §102(b). Nowhere does Haban teach

or suggest outputting of a debug message to the second job's output. As a result, all of claims 9, 18 and 29-32 are allowable over Haban.

#### Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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